



Rachel Maimin
Partner

1251 Avenue of the Americas
New York, New York 10020

T: (212) 419-5876
F: (973) 597-2400
E: rmaimin@lowenstein.com

MEMO ENDORSED

May 23, 2024

BY ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Plaintiffs' request that the Court order the Mission to acknowledge receipt of Plaintiffs' motion papers is denied. The Mission has been advised that it has until June 7, 2024, to retain new counsel or it risks entry of default. *See* Min. Entry 05/07/24; *see also* Doc. 200. That deadline remains in place. The Clerk of Court is respectfully directed to terminate the motion, Doc. 207. SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos'.

Edgardo Ramos, U.S.D.J.

Dated: May 24, 2024

New York, New York

Re: *Janet Harvey and Joseph Harvey v. Permanent Mission of the Republic of Sierra Leone to the United Nations, et al.*
Case No. 21-CV-4368 (ER)

Dear Judge Ramos:

Plaintiffs Janet Harvey and Joseph Harvey respectfully submit this letter to advise the Court that Defendant Permanent Mission of the Republic of Sierra Leone to the United Nations (the "Mission") is refusing to acknowledge receipt of motion papers at the address provided by its prior counsel for service during the current period, when the Mission is *pro se*. The Harveys are concerned that the Mission is preparing to cause additional delay in the case by simply ignoring these proceedings and rejecting the jurisdiction of this Court, which the Mission has already tried and failed to challenge.

As Your Honor is aware, prior counsel for the Mission was relieved after the Mission failed to communicate with or pay counsel for months. The Court ordered the Mission to find new counsel within 30 days, by Order dated May 7, 2024. This deadline is quickly approaching and there is no indication new counsel has been retained. We do not even know whether the Mission acknowledged receipt of prior counsel's notice of withdrawal. At the same time, Plaintiffs served the Mission with Your Honor's Order, motion papers relating to an inspection of the Mission's renovation site, and the parties' proposed amended scheduling order at the physical and email addresses for the Mission provided by prior counsel at Your Honor's direction. We attempted and failed twice to obtain a signature acknowledging receipt of the papers by Federal Express, so Federal Express was forced to leave the papers at the Mission's temporary offices without a signature. We also emailed the papers to the Mission and asked it to confirm receipt and have heard nothing back.

We fear that the Mission's silence portends an attempt to delay these proceedings further, either by failing to obtain counsel in a timely fashion and/or failing to respond to the Harveys' motion on the schedule directed by the Court, *i.e.*, within seven days of the Mission's engagement of new

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counsel. Accordingly, we ask that the Court order the Mission to acknowledge receipt of the Harveys' motion papers and, to the extent the Mission fails to do so, to appear before Your Honor as soon as possible. The Harveys oppose any further attempt to delay these proceedings by the Mission. As the Court is aware, this is particularly problematic here, where the Mission's proposed headquarters pose an ongoing threat to the Harveys' and the community's safety and years have passed since the inception of this case.

Respectfully submitted,

/s/ Rachel Maimin

Rachel Maimin
Steve Fuerst
Cassandra Essert

RM:ce

cc: Counsel of record (*via ECF*)
Mission of Sierra Leone (*via email and FedEx*)

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